THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

–

WRIT PETITION NO : 21028 of 2005

–

Dated:27.09.2005

Between:

L. Venkateshwarlu, S/o. Rajam,
Kothagudem Depot, Khammam District.

..... PETITIONER

AND

The Depot Manager, APSRTC, Khammam District. Kothagudem.

.....RESPONDENT

–

–

–

–

–

ORDER:

–

The petitioner is employed as a driver in Khammam Depot of A.P.S.R.T.C. On 23.08.2005, he was performing his duties on a bus service, provided with the facility of Ticket Issuing Machine. Apart from driving the bus, he was also expected to issue tickets through the said machine. On that day, a check was conducted at midnight, and certain irregularities were noticed by the Checking Officials. Thereupon, the respondent issued a charge sheet as well as an order of suspension on 27.08.2005. The petitioner challenges the order of suspension on the ground that there does not exist any valid basis for the same.

Learned counsel for the petitioner submits that except pointing out certain technical defects, no major irregularities were pointed, nor any financial irregularities were indicated.

Learned Standing Counsel for the respondent, on the other hand, submits

that the truth or otherwise of the allegations made against the petitioner can be known, only after the departmental enquiry is concluded.

The scope of interference of the order of suspension pending enquiry is very limited. It is only where such orders are passed by an authority not conferred with the jurisdiction or in contravention of any specific provisions, that the Courts can interfere with such orders. In the instant case, the charge sheet and the order of suspension were passed on the same day. The enquiry against the petitioner has already been commenced. It is difficult to accept that the order of suspension is passed without any basis. Nearly one month had already elapsed, since the initiation of the proceedings. The interest of the petitioner can be protected by directing the respondent to conclude the disciplinary proceedings at the earliest possible of time.

The writ petition, is therefore, disposed of directing that the respondent shall conclude the enquiry against the petitioner, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

_____

(L.NARASIMHA REDDY, J)

27.09.2005

Note: Issue C.C by 28.09.2005

B/o.

vs

-

-